10/659,941

Filed

September 11, 2003

## AMENDMENTS TO THE CLAIMS

- 1. (Currently Amended) A physiologically acceptable concentrated beta-glucan composition comprising a glucan having a mixed  $\beta(1,3)(1,4)$  linked glucopyranosyl backbone prepared in an alcohol free process in the absence of organic solvents, wherein said beta-glucan composition has a concentration greater than 15%16% by weight.
- 2. (Previously Presented) The composition of Claim 1, wherein the concentration of said beta glucan is greater than 68% by weight.
- 3. (Original) The composition of Claim 1, wherein said beta-glucan is produced by a method comprising:
  - (a) providing an alkaline aqueous extract of a beta glucan source;
  - (b) acidifying or neutralizing said extract and heating said extract to between about 60° C and 100° C;
  - (c) cooling said extract, whereby a flocculate is formed;
  - (d) acidifying said cooled extract if said extract was neutralized in step (b); and
  - (e) removing said flocculate from said extract to form a beta-glucan containing solution.
- 4. (Original) The composition of Claim 1, wherein said beta glucan is produced by a method comprising heating a beta-glucan containing solution to allow evaporation therefrom, whereby a solid film enriched in beta-glucan is formed on the surface of said solution.
- 5. (Original) The composition of Claim 4, wherein said method further comprises the step of removing said beta-glucan film, resulting in the formation of a second beta-glucan film.
- 6. (Original) The composition of Claim 5, wherein said beta glucan film removing step is performed one or more times.
- 7. (Original) The composition of Claim 4, wherein said method further comprises the step of drying said beta-glucan film.
- 8. (Original) The composition of Claim 1, wherein said beta glucan has a molecular weight of at least about 50 kDa.
- 9. (Original) The composition of Claim 1, wherein said beta glucan is selected from those obtainable from oats, barley, wheat, rye, corn, rice, sorghum, millet, or amaranth.

10/659,941

Filed

- 10. (Original) The composition of Claim 1, wherein said beta glucan is formulated for oral administration.
- 11. (Previously presented) A composition for reducing low density lipoprotein and total serum cholesterol comprising (1,3)(1,4)- beta glucan having a mixed  $\beta(1,3)(1,4)$  linked glucopyranosyl backbone prepared in an alcohol free process in the absence of organic solvents, wherein said composition is packaged and labeled as a dietary supplement.
- 12. (Currently amended) The supplement composition of Claim 11, wherein the concentration of said beta glucan is greater than 68% by weight.
- 13. (Currently amended) The supplement composition of Claim 11, wherein said beta-glucan is produced by a method comprising:
  - (a) providing an alkaline aqueous extract of a beta glucan source;
  - (b) acidifying or neutralizing said extract and heating said extract to between about 60° C and 100° C;
  - (c) cooling said extract, whereby a flocculate is formed;
  - (d) acidifying said cooled extract if said extract was neutralized in step (b); and
  - (e) removing said flocculate from said extract to form a beta-glucan containing solution.
- 14. (Currently amended) The supplement composition of Claim 11, wherein said beta glucan is produced by a method comprising heating a beta glucan containing solution to allow evaporation therefrom, whereby a solid film enriched in beta-glucan is formed on the surface of said solution.
- 15. (Currently amended) The supplement of Claim 14, wherein said method further comprises the step of removing said beta-glucan film, resulting in the formation of a second beta-glucan film.
- 16. (Currently amended) The supplement composition of Claim 15, wherein said beta glucan film removing step is performed one or more times.
- 17. (Currently amended) The supplement composition of Claim 14, wherein said method further comprises the step of drying said beta-glucan film.
- 18. (Currently amended) The supplement composition of Claim 17, wherein said film is milled, powdered, dissolved or otherwise dispersed.

10/659,941

Filed

- 19. (Currently amended) The supplement composition of Claim 11, wherein said beta glucan has a molecular weight of at least about 50 kDa.
- 20. (Currently amended) The supplement composition of Claim 11, wherein said beta glucan is selected from those obtainable from oats, barley, wheat, rye, corn, rice, sorghum, millet, or amaranth.
- 21. (Currently amended) The supplement composition of Claim 11, wherein said beta glucan is formulated for oral administration.
- 22. (Currently Amended) A composition comprising concentrated (1,3)(1,4) beta glucan having a mixed  $\beta(1,3)(1,4)$  linked glucopyranosyl backbone in a cosmetic composition, wherein said beta glucan is prepared in an alcohol free process without the use of organic solvents, and wherein said concentrated beta-glucan has a concentration greater than 15% 16% by weight.
- 23. (Previously Presented) The composition of Claim 22, wherein the concentration of said beta glucan is greater than 68% by weight.
- 24. (Original) The composition of Claim 22, wherein said beta-glucan is produced by a method comprising:
  - (a) providing an alkaline aqueous extract of a beta glucan source;
  - (b) acidifying or neutralizing said extract and heating said extract to between about 60° C and 100° C;
  - (c) cooling said extract, whereby a flocculate is formed;
  - (d) acidifying said cooled extract if said extract was neutralized in step (b); and
  - (e) removing said flocculate from said extract to form a beta-glucan containing solution.
- 25. (Original) The composition of Claim 22, wherein said beta glucan is produced by a method comprising heating a beta glucan containing solution to allow evaporation therefrom, whereby a solid film enriched in beta glucan is formed on the surface of said solution.
- 26. (Original) The composition of Claim 25, wherein said method further comprises the step of removing said beta-glucan film, resulting in the formation of a second beta-glucan film.
- 27. (Original) The composition of Claim 26, wherein said beta glucan film removing step is performed one or more times.

10/659,941

**Filed** 

- 28. (Original) The composition of Claim 25, wherein said method further comprises the step of drying said beta-glucan film.
- 29. (Original) The composition of Claim 28, wherein said film is milled, powdered, dissolved or otherwise dispersed prior to combination with said cosmetic composition.
- 30. (Original) The composition of Claim 22, wherein said beta glucan has a molecular weight of at least about 50 kDa.
- 31. (Original) The composition of Claim 22, wherein said beta glucan is selected from those obtainable from oats, barley, wheat, rye, com, rice, sorghum, millet, or amaranth.
- 32. (Previously presented) A composition prepared by combining a concentrated (1,3)(1,4) beta glucan having a mixed  $\beta(1,3)(1,4)$  linked glucopyranosyl backbone with a food product, wherein said beta glucan is prepared in an alcohol free process without the use of organic solvents, and wherein said concentrated beta glucan has a concentration greater than 7% by weight.
- 33. (Previously Presented) The composition of Claim 32, wherein the concentration of said beta glucan is greater than 68% by weight.
- 34. (Original) The composition of Claim 32, wherein said beta glucan is produced by a method comprising:
  - (a) providing an alkaline aqueous extract of a beta glucan source;
  - (b) acidifying or neutralizing said extract and heating said extract to between about 60° C and 100° C;
  - (c) cooling said extract, whereby a flocculate is formed;
  - (d) acidifying said cooled extract if said extract was neutralized in step (b); and
  - (e) removing said flocculate from said extract to form a beta glucan containing solution.
- 35. (Original) The composition of Claim 32, wherein said beta glucan is produced by a method comprising heating a beta-glucan containing solution to allow evaporation therefrom, whereby a solid film enriched in beta-glucan is formed on the surface of said solution.
- 36. (Original) The composition of Claim 35, wherein said method further comprises the step of removing said beta-glucan film, resulting in the formation of a second beta-glucan film.

10/659,941

Filed

- 37. (Original) The composition of Claim 36, wherein said beta glucan film removing step is performed one or more times.
- 38. (Original) The composition of Claim 35, wherein said method further comprises the step of drying said beta-glucan film.
- 39. (Original) The composition of Claim 38, wherein said film is milled, powdered, dissolved or otherwise dispersed prior to combination with said food product.
- 40. (Original) The composition of Claim 32, wherein said beta glucan has a molecular weight of at least about 50 kDa.
- 41. (Original) The composition of Claim 32, wherein said beta glucan is selected from those obtainable from oats, barley, wheat, rye, corn, rice, sorghum, millet, or amaranth.
- 42. (Currently Amended) A pharmaceutical composition comprising concentrated (1,3)(1,4) beta glucan having a mixed  $\beta(1,3)(1,4)$  linked glucopyranosyl backbone and a pharmaceutically acceptable carrier, wherein said beta glucan is prepared in an alcohol free process without the use of organic solvents, and wherein said beta-glucan has a concentration greater than 15% by weight.
- 43. (Previously Presented) The composition of Claim 42, wherein the concentration of said beta glucan is greater than 68% by weight.
- 44. (Original) The composition of Claim 42, wherein said beta glucan is produced by a method comprising:
  - (a) providing an alkaline aqueous extract of a beta glucan source;
  - (b) acidifying or neutralizing said extract and heating said extract to between about 60° C and 100° C;
  - (c) cooling said extract, whereby a flocculate is formed;
  - (d) acidifying said cooled extract if said extract was neutralized in step (b); and
  - (e) removing said flocculate from said extract to form a beta glucan containing solution.
- 45. (Original) The composition of Claim 42, wherein said beta glucan is produced by a method comprising heating a beta-glucan containing solution to allow evaporation therefrom, whereby a solid film enriched in beta-glucan is formed on the surface of said solution.

10/659,941

Filed

- 46. (Original) The composition of Claim 45, wherein said method further comprises the step of removing said beta-glucan film, resulting in the formation of a second beta-glucan film.
- 47. (Original) The composition of Claim 46, wherein said beta glucan film removing step is performed one or more times.
- 48. (Original) The composition of Claim 45, wherein said method further comprises the step of drying said beta-glucan film.
- 49. (Previously presented) The composition of Claim 48, wherein said film is milled, powdered, dissolved or otherwise dispersed prior to combination with said pharmaceutically acceptable carrier.
- 50. (Original) The composition of Claim 42, wherein said beta glucan has a molecular weight of at least about 50 kDa.
- 51. (Original) The composition of Claim 42, wherein said beta glucan is selected from those obtainable from oats, barley, wheat, rye, corn, rice, sorghum, millet, or amaranth.
- 52. (Original) The composition of Claim 42, wherein said beta glucan is formulated for oral administration.